

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Creation Of A Low Power)
Radio Service) Docket 99-25

REPLY COMMENTS OF TALK RADIO OF PAHRUMP, INC. (TROP),
NEXUS BROADCAST, CONEXUS LPFM ADVOCACY, THE LPFM STORE,
ANDY ALBERTI, DONNA COX, FRANK J. MAURIZIO, DAVE RICHARDS,
CREAG ROWLAND, LaMOYNE WESTERBECK, JASON LeVALLEY,
JACK HAYNES, RHONDA HAYNES, MARGERY HANSON AND ROBERT HANSON
TO THE PROMETHEUS RADIO PROJECT

TALK RADIO OF PAHRUMP, INC. (herein referred to as TROP) is an Internet-only broadcaster in Pahrump, Nevada. We have been "On Air" for 12 years and may apply for a Low Power FM (LPFM) radio station license. TROP is also a longtime Member of THE AMHERST ALLIANCE, although we speak in these Reply Comments exclusively for ourselves and those who have joined these Reply Comments as signatories.

TROP and the other signatories are addressing the May 8, 2012 Written Comments of PROMETHEUS RADIO PROJECT. In those Written Comments, Prometheus urged the Commission to set aside a period of 6 to 9 months, *after* a final rule on LPFM has been issued, for aspiring LPFM broadcasters to prepare applications for the new LPFM filing window.

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According to some news reports, the FCC has *already decided* -- !!!! -- not to open the filing window until spring of 2013 (or later). This delay, we have been told, was arranged in part because "a major LPFM advocacy group [presumably Prometheus] has requested it".

There are some things TROP and the other signatories don't understand:

(1.) How can the FCC make a decision to delay things by so much when it hasn't heard from everyone yet? The 99-25 comment period still hasn't closed, but FCC's spokespeople are already announcing decisions about one subject on which public comments are still arriving.

(2.) Why is the FCC assigning so much weight to the request of just one LPFM advocacy group? TROP's own favorite LPFM advocacy group, THE AMHERST ALLIANCE, wasn't asked by the Commission to offer its opinion. Even so, from the public record the FCC could have known, and should have known, that Amherst has been pressing all along for a filing window that opens and closes before the end of 2012. Why did the opinion of Prometheus count for so much more than the opinions of Amherst and other LPFM advocacy groups? Is it because Prometheus has the money to maintain a second office right in Washington, while the other LPFM advocacy groups don't? That doesn't sound to us like a fair reason for giving Prometheus special treatment when the timing of the LPFM filing window was decided.

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(3.) It also doesn't seem fair to us for the FCC to give some potential LPFM applicants 6 to 9 months to get ready for the filing window, once the LPFM final rule has been issued, when some of the rest of us can get ready to file in one month or less. Some of us have been planning for this filing window for a decade. We are primed, well-informed and ready to roll!

We didn't have any more advance knowledge than the potential applicants Prometheus is representing. We probably didn't have any more money than the applicants backed by Prometheus, either. In fact, we may have had less, because we're non-profits, too, and most of us can't tap the kind of Foundation grants Prometheus can receive.

TROP and others are ready to go, *NOW*, because we did our homework and reached the starting line, first. Why should we be barred, by FCC regulations, from reaping the just rewards of our careful planning and very hard work?

Prometheus does mention some of the special problems that its favored applicants reportedly face. Maybe they can justify *some* special slack for that reason, but do these applicants really need *6 to 9 times as much "leeway" as the rest of us?* TROP needs one month between issuance of a final rule and the start of a filing window. THE AMHERST ALLIANCE -- in its Reply Comments of May 20, 2012 -- proposes to give LPFM applicants 2 to 3 months. That's 2 to 3 times what TROP needs, and we'll accept it in a spirit of fairness. But a request for 2 to 3 times 2 to 3 times what TROP needs??

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Those potential applicants are asking for *much* more time than they need! And if they really, truly need 6 to 9 times as much preparation time as TROP -- a fellow under-funded non-profit -- then they are too wildly inefficient to belong On Air.

(4.) Finally, please remember that kicking the filing window into January of 2013, or beyond, could be highly disruptive. By then, America could have a new House and/or a new Senate, and/or we could have the same House and Senate with some new faces. Also: America could have a new President, or we could have the same President with a new staff. Things could be "up in the air" then in a way they aren't "up in the air" now.

We beg the Commission to "open and close" the LPFM filing window *before* the end of the year.

Please see the May 20, 2012 AMHERST ALLIANCE Reply Comments for a reasonable and equitable "time table" which would open and close the LPFM filing window by the end of November.

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Respectfully submitted,

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Dated: May 21, 2012